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CP 102

Single Bench

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IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION No. 4037 /2004

PETITIONER

: Mahavir Prasad Mishra, S/o Shri Shivpati Prasad Mishra, Aged about 34 years, Occupation Service Constable B. No.783, Presently Posted at Rakshit Kendra Durg (C.G.)

VERSUS

RESPONDENT

Union of India, Through The Secretary, Department of Personal, Public grievance and pension, Third floor, Loknaik Bhawan, Khan Market, New Delhi.

2. State of Madhya Pradesh, Through the Secretary, Department of Home affairs, Vallabh Bhawan, Bhopal (MP).
3. State of Chhattisgarh, Through the Secretary, Department of Home affairs, D.K.S. Bhawan, Raipur (CG.).
4. Director General of Police, State of Chhattisgarh, Raipur (C.G.).
5. Inspector General of Police, (Personal), Police Head Quarter, Raipur (C.G.).
6. Superintendent of Police, District Durg

P.R. No. 3891
Presented by Shri. A. G. Mishra
dated 12.10.04

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14/10/04
Clerk to A. G. Bilaspur



WRIT PETITION UNDER ARTICLE 226 OF THE
CONSTITUTION OF INDIA

19.10.04

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

W.P. 4037
मामला क्रमांक सन् 2004

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	18-11-2004 Shri Sunil Sahu, Counsel for the petitioner. Shri R.S. Baghel, Addl. Standing Counsel for the Union of India/ respondent No.1. Shri Yashwant Singh, Govt. Advocate for the State of Chhattisgarh/ respondents No.3, 4, 5 and 6. None for respondent No.2. Application for urgent hearing is allowed. Heard. Counsel for the petitioner submitted that in similar matter bearing W.P. No. 578/04 (<u>Balendra Sekhar Mishra & Others Vs. Union of India & Others</u>), orders have been passed. He prays that similar order may be passed in this case also. Prayer is not opposed by the other side. Having considered the facts and circumstances of the case, material on record and in view of the judgment cited above and further the legal position, the action of the State Authorities in not relieving the petitioner cannot be sustained and the petitioner is entitled for relieving. Accordingly, the petition is allowed. The respondents are directed to relieve the petitioner within 15 days from the date of production of copy of this order. Consequently, M.W.P. No. 4435/2004 also stands disposed of. Certified copy as per rules.	
Khan		

**Sd/-
Fakhruddin
Judge**